



CRRA

Calgary Residential Rental Association

Rental Review

FALL 2021

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SEE THE FULL STORY BEGINNING ON PAGE 15!



President's Message

Brandon Lord

I would like to begin by acknowledging and thanking Brenda Blaney. Brenda was a long-time member of the CRRA and was CRRA's President for more than 6 years, a position she held until she and her family recently moved to BC. She was a delight to work with on the Board and made a very valuable contribution to the CRRA. We wish her the very best and we will miss her. Thank you, Brenda.

We celebrated our 28th Golf Tournament Anniversary on September 8th. The weather was nice, the turnout was very good, and everyone had a great time. I would like to take this opportunity to thank all our sponsors for their generosity in helping to make this year's event so successful.

The provincial government recently ordered new restrictions due to increasing cases of COVID-19 in the province. The new restrictions have many businesses scrambling to understand the new rules. The CRRA is working closely with our partner hotels to continue hosting our events while ensuring all safety protocols are followed. These protocols will be communicated to our members before each event.

CMHC is collecting information for their fall 2021 Rental Market Report. Please help by sharing accurate and complete information when they contact you. As you are aware, this is the only detailed rental housing report available to our members. When CMHC releases the report, it will be posted on our website for your review.

We have two major upcoming events remaining this year:

The **CRRA Trade Show** will be held on **Tuesday, October 19th at the Best Western Premier Calgary Plaza Hotel & Conference Centre** (formerly the Coast Plaza Hotel) located 1316 - 33 St NE. We have some great speakers lined up for this event.

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The **CRRA Awards Gala** will be held on **Thursday, November 4th at the Carriage House Inn** at 90 Ave & Macleod Trail SW. Held annually, the Gala is a lovely and entertaining evening where we celebrate excellence in the residential rental industry. Spaces are limited, so register early

Check the 'Event Calendar' on the CRRA website – www.CRRA.ca to register for all our upcoming events.




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Executive Director's Report

Gerry Baxter

It is Time To Renew Your Membership!

Membership renewal notices for 2022 are now being sent out and we are encouraging everyone to renew early. Please do so as soon as possible – and before the end of the year. If you don't you won't be able to access the member benefits on the CRRA website, particularly the purchase of online forms and the Resource Library. You will also have to pay non-member prices to attend seminars, luncheons, courses, and events. And if you use Rent Check Credit Bureau for your credit checks, you won't be able to access the CRRA member discount they offer, and your cost will increase significantly.

RTA Course

There are two more courses left this year.

October 15 & 22
November 19 & 26

Registration Forms are available on the CRRA website at www.CRRA.ca or you can call the CRRA office at 403-265-6055. The course fills quickly, so register early.

We will soon be releasing our course schedule for 2022.

Education

The CRRA provides quality educational opportunities through our monthly seminars and luncheons and RTA course.

Our volunteer Education Committee, consisting of owners, property managers and service members, helps plan and coordinate the topics and speakers for our seminars and luncheons. They do an excellent job helping us meet the needs of members.



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I want to thank each of our committee members for their time, input, and commitment in making our programs so successful.

We have a number of some excellent seminars and luncheons planned for the rest of the year and I encourage you to take advantage of them.

Trade Show

Don't forget to register for the Trade Show events. It's a fun day and property owners and managers can chat with the many vendors who can help you in your business. We have some great speakers and topics lined up for this special day. Check out the CRRA website for more detail (www.CRRA.ca)

Awards Gala

Don't miss this outstanding evening. Join in celebrating excellence in the residential rental industry. Get your tickets today. **Check out the CRRA website for more detail (www.CRRA.ca)**



Annual Awards Gala

Thursday, November 4th, 2021

**Carriage House Inn
Main Ballroom**

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Mould & Rental Properties

By Judy Feng, JD

This article was first published in CPLEA's (www.cplea.ca) digital magazine, LawNow (www.lawnow.org).

We recently heard about a tricky situation involving mould in a rental property. During a property inspection, the landlord found severe mould in the unit. The tenant apparently never said anything to the landlord about the mould. The remediation was going to be costly and take months.

The situation got me thinking of a few questions, including:

1. Who is responsible for mould in a rental property?
2. Does a tenant have to inform their landlord about mould in a rental property?
2. What can a landlord or tenant do if there's mould in the property?

Mould, otherwise known as mildew or fungus, is a living organism. The **Environmental Public Health, Alberta Health Services** website notes mould grows indoors in places that have water leaks, are very humid or have condensation problems. While mould usually doesn't make people sick, there's a higher risk of health problems if there's more of it in places a person spends a lot of time in – for example, at home. Mould can cause health problems including asthma flareups, itchy skin, stuffy nose and blocked sinuses, breathing problems, and irritation of the eyes, nose and throat.

Whenever we get a question about mould on a property, we direct people to the **Minimum Housing and Health Standards** and [our publication](#). **The Minimum Housing and Health Standards** set out specific conditions that are essential to making a place safe, sanitary and fit for humans to live in.

The Standards do not explicitly cover mould on rental properties. But, a review of caselaw suggests that mould can be a deficiency that affects whether a property is fit for living in. It can also be a deficiency that affects a tenant's benefit of the residential tenancy agreement and right to enjoy the property.

Who is responsible for mould in a rental property?

Property owners/landlords are responsible for maintaining rental premises to the minimum standard. If the property falls below standard, they must fix it. Failing to meet the minimum standard is a breach of the Residential Tenancies Act (RTA). When a landlord breaches the rental agreement or RTA, the tenant has several remedies including:

- recovery of damages
- rent abatement (reduction)

- compensation for the costs to fulfill the landlord's obligations
- termination of the lease

Extending this line of thinking to mould means property owners/landlords must fix mould problems on a rental property. That said, this brings us into the next question.

Does a tenant have to inform their landlord about mould in a rental property?

The **RTA** says tenants have a general responsibility to maintain the premises and keep it in a reasonably clean condition. We also know that landlords must maintain the premises to the minimum standard. This is where things get a little fuzzy, especially where a tenant knows about an issue in the property but does not say anything about it. How is a landlord supposed to fix a mould issue if the tenant doesn't say something about it?

Brown v. Libertas Property Management Inc., 2011 ABPC 148 sheds some light on this type of situation. In the case, the tenant claimed \$1,495 for return of the security deposit, \$3,040 in rent abatement and \$3,000 in general damages based on several alleged breaches by the landlord. One issue involved water damage from a toilet leak, which led to mould/mildew growth in floor tile. The mould then caused or contributed to the exacerbation of the tenant's asthma. There were many other problems with the property including the loss of use of the basement bedroom and failure of the landlord to install a screen or repair the deck.

What's most interesting is what the judge said about the tenant's responsibility for informing the landlord about the mould: "[Moulds] and mildews have typical appearance and smell. They occur commonly and are within the experience of many people."

The judge found that the tenant was aware of the mould but failed to tell the landlord. The judge decided:

- The tenant should have advised the landlord when they became aware of what they thought was mould.
- The tenant could and should have taken some action of their own to prevent the mould from becoming a problem, which they did not.
- The tenant was in possession of the house and needed to maintain it. Even if the landlord knew of the mould but failed to act, the tenant should have acted on their own.
- Failing to advise the landlord of the mould and take any steps to deal with the mould situation contributed to the problem and the damages suffered by the tenant.

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What Is Submetering And How Can It Help Your Rental Business?

By Peter R.J. Mills

What is Submetering and How Can it Help Your Rental Business?

Submetering has now become an almost unavoidable measure to help multi-residential buildings control their utility costs and meet rising pressure to become more sustainable.

Submeters measure in-suite water or electricity use which is where most of the building's use occurs. Resident owners or tenants are then billed according to their personal use rather than subsidizing their neighbours' usage.

As a result, buildings typically see much more conscientious consumption—over 30% reduction for both water and energy on average—and relief from rising operating costs exacerbated by residents who may not otherwise feel like they have any stake in the process.

According to Wyse Meter Solutions, a submetering provider, new builds are now 90% submetered for electricity and water. While some retrofits for existing buildings may incur an upfront cost, many providers now install the equipment quickly and seamlessly at zero cost with an ongoing billing agreement. The long-term benefits for both cost savings and sustainability are guaranteed.

Here are a few other reasons why submetering has become the new standard.

Greater transparency

Even analog 'needle under glass' meters can provide information to help manage use. But many submetering providers now offer much more than that.

For instance, many smart meters for water use come equipped with freeze and leak detection which notify building management by e-alert averting costly flood damage.

With these meters, readings can be done remotely, and reporting can be automated or customized to varying levels of granularity. These reports can indicate monthly, daily, even hourly consumption, and broken down according to Time of Use (TOU) electricity pricing in real time.

Smart meters also allow you to set and track utility performance benchmarks and check the accuracy of meters without a manual inspection or back-end administrative work.

Residents want it

According to a 2019 Canadian Multi-Res Tenant Rental survey, more than 3-in-5 Canadian multi-residential tenants want to be billed only for the utilities they use. And for

property owners, submetering also translates to increased property value and thousands in savings for operating costs.

Moreover, residents now expect sustainability be factored into a building's operation. In fact, ESG (Environmental, Social, Governance) measures have now become almost an industry requirement. Plus, sustainability initiatives are frequently eligible for government incentives or assistance, many of which your providers will help you apply for and navigate.

In summary, submetering is a proven tool to meet those three bottom-line objectives: cost stability, environmental responsibility, and social responsiveness.

Submetering Selling Points for Building Managers and Owners

- Control of utility budgets, reduced exposure to rate hikes and tenant behaviour
- Improved net operating income, increased building value
- Monitoring of individual suite consumption, including non-bill payers
- No responsibility for collections process or bad debt
- No equipment cost or risk
- Residents empowered to control their cost of living, easily managed online
- Corporate image as environmentally responsible
- Tap into government funding through residential subsidies and incentives for conversion to submetering

This article was written by Peter R.J. Mills, CEO, of Wyse Meter Solutions Inc., Peter can be reached at 1.416.709.0079 or pmills@wysemeter.com.



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What Not To Say When Marketing Your Properties Online

By YARDI



Are your rental listings attracting prospects? When you're marketing your properties online, there are certain messages you want to avoid. There are also specific words that you might think will attract renters but can leave a negative impression on readers.

But we're not going to simply tell you what not to do. We'll round out the article with some tips on what you should say when marketing your properties online.

Messages To Avoid In Your Online Rental Listing

DON'T ASSUME WHAT THE READER LIKES OR DISLIKES

"Our properties offer great throwback designs to a simpler time."

Maybe your prospects and residents aren't into old-fashioned décor. In other words, you're accidentally telling them to move along and look for something else.

Instead, ask each prospect what they're looking for, then highlight their interests throughout your communications, property tours, etc.

AVOID PUTTING DOWN YOUR COMPETITION

"We're much more affordable than several other properties across the street."

This is almost like giving free advertising to your competition. Wouldn't you want to see if those higher-priced units come with bonus amenities that make the extra cost worth your while?

It's also a bad look to be negative. Stick to marketing your own property and show everyone why they should rent with you. If you just renovated several vacant units while your competition lags, focus on how great your improvements are. Don't even mention the folks "down the street."

NEVER MAKE EXCUSES

"We haven't had time to redo the carpeting, but that's why this unit is such a great deal!"

If any aspect of your property isn't up to snuff, make it a priority to renovate and improve those items. If you have photos that show old or ragged carpeting, for instance, explain that you have plans to change the carpeting before anyone moves in.

ONLY SAY YOU'LL DO SOMETHING OR PROVIDE A SERVICE YOU KNOW YOU CAN DO

"Have friends who want to live here? Let's get together to work it out."

It's never a good idea to try to sell someone on a feature or idea you can't provide as a certainty. If we go with this

example, you have no way of knowing that prospective renters will pass a credit and criminal background check. This is a perfect example of what not to say when marketing properties online.

Pro tip: It's always a good idea to ask for references. Just don't make promises you can't keep.

DO NOT MAKE ULTIMATUMS

"It might be a noisy neighborhood, but that's the price you pay for such a great location."

Never ask anyone to make a sacrifice. You might as well be challenging your prospect to keep looking until they find their dream home. On the other hand, if the prospect has a concern, acknowledge what they're saying, then contrast it with positive features of the property that offset the negative.

Other Words To Avoid In Online Property Marketing

"COZY"

It's well-established at this point that this word sounds like a substitute for "small" or "cramped."

"CHARMING"

Like cozy, this word sounds like you're covering something up. Are you putting a positive spin on a tiny, unrenovated kitchen? That's not charming. It's undesirable.

"CLEAN"

This should be a given. How dirty was it before?

"UNIQUE"

Do you mean no closets? Angled walls?

"VINTAGE"

Old. If you are referencing a particular style — like mid-century modern — say so!

"MOTIVATED"

Why? Some people are just casually browsing rentals. However, you might be able to motivate them with the perfect strategy, which includes knowing what not to say in your online property marketing.

Smart & Impactful Words To Use In Online Property Marketing

"YOU"

Use "you" as your pronoun in any descriptive sentences to give the reader a sense of ownership already. Write like you

Continued next page...

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What Not to Say...continued from page 9

are talking to a person who will probably move in. "You will see breathtaking mountain views from your kitchen." "You can get to the freeway in just five minutes."

"UPDATED/NEW"

If you've done anything to update your vacant space — whether it's residential or commercial — let readers know right away. Updates tell potential renters that you're the kind of landlord who takes care of their properties. It also puts them at ease to know there's at least one thing they don't have to worry about fixing anytime soon.

"LANDSCAPED/LANDSCAPING"

Be sure to describe the grounds as well as the building, especially if you live in an area with nice weather. Landscaping and other curb appeal factors add value to rentals too.

"READY"

Let renters know your space is ready to go, and there will be no wait or hassle moving in.

"TILE/GRANITE/WOOD/STAINLESS"

If your vacancy has any of these finishes, be sure to call them out in your online listing.

"PETS"

Whether you allow pets or not, being upfront about your policy will make sure you attract the right applicants without wasting anyone's time.

"CALL NOW/APPLY TODAY"

Like any ad, you should include a clear call to action that will help convert prospects into leads. Tell them what the next step is.

Ready, Set, Market!

As our world gets progressively more virtual and prospects are bombarded with messaging and imagery, it is essential to learn, acknowledge and articulate what makes you different as a brand, as a property. Language on your website is all about adding character to your properties and an essential part of creating a community. By using the right descriptors, coupled with a dynamic website and powerful imagery, you are well on your way to setting yourself apart in this thriving sector.

*This article was provided by
CRRRA Member YARDI.*

*They can be reached through their website:
<https://www.yardi.com/>*



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Parcel Delivery Lockers: 6 Questions to Ask Yourself Before Getting Parcel Delivery Lockers

By Coinamatic

Package lockers are a big investment. If you are considering getting a locker system, it is important to ask these six questions during your due diligence. You will set your property up to make the most out of your lockers and avoid several potential headaches down the road. Know what to prepare for now, and you will prime your property for years of simple, easy-to-use automated package acceptance.

How will I handle extra-large packages?

Of all the packages that are delivered to multifamily complexes, 13-20% are extra large. Extra-large packages do not fit into normal lockers, and if you do not have a plan for them, carriers end up delivering them to the front desk. That's almost a fifth of all packages that you and your staff will personally have to deal with—and it's exactly the kind of boxes (huge and heavy) that are the most difficult to handle.

If you do not want to accept oversized packages at the front office, solutions like the Luxer One Oversized Locker are specifically designed to accommodate extra-large packages.

You can choose whether to make the Luxer One Oversized Locker a shared resource, or a single-package locker like the rest of the lockers. We recommend using it as a shared resource, as that is how we designed it to work. The Oversized locker can accept several extra-large packages at once. Using it as a shared space is significantly more space-efficient and cost-efficient than installing multiple Oversized Lockers.

If you do decide to use the Oversized Locker as a shared resource, the locker system has extensive measures in place to ensure security and accountability. Only residents with a single-use access code can access the locker. The system logs each time a resident or carrier opens a locker, and the code means that we know exactly who accessed the locker and when. Plus, 24/7 video surveillance ensures that in the event of a misplaced package, the support team can review the footage to see exactly what happened.

What is my overflow solution?

When you order your locker system, your vendor will help determine how many lockers your property needs, and in what sizes. This balances locker availability with package volume, but sometimes - especially around the holidays - even an extensive locker system can be filled to capacity.

The simplest solution is to have your Oversized Locker double as an overflow locker to accept any extra packages delivered. Since it is already designed to allow for multiple deliveries, it can easily take in overflow. This allows you to

automate 100% of your package volume, rather than having to go back to accepting overflow packages manually. Your residents stay happy, packages are secure, and you keep a hands-off approach to package acceptance!

How important is video surveillance?

The "automate" in automated package management system means that you and your staff do not need to babysit package delivery and pickup. But it is incredibly useful to keep tabs on your locker system in a different way - through video surveillance.

Locker-integrated video surveillance has many benefits, and is a simple but vital feature that keeps your package management system working as smoothly as possible. An ounce of prevention is worth a pound of cure, and archived footage makes clearing up potential issues fast and straightforward. Find a package locker option that offers fully integrated video surveillance and support together; look for wall-mounted video cameras that can "see" the entire locker area (not just a face at the touchscreen), as well as a 24/7 support team that handles all video monitoring. It will make your life - and your residents' lives - easier for years to come.

How do I ensure all current residents can receive packages?

There are several steps you can take to make sure all your residents can receive packages:

Package notifications

Simple, but important: make sure your residents have a way to get their package notifications! They can receive their one-time access codes by email, text message, or both. At minimum, residents will need a working email address to set up an account. Be sure to cover this when onboarding residents to your locker system.

House account

Sometimes packages arrived with misspelled names, or do not match up to a specific resident. Make sure your locker system has a house account that will accept these packages, which would otherwise fall through the cracks.

...continued next page.



Software integration

Make sure your locker company's software integrates with your current property management software. Reliable integration will automatically keep resident status up to date, and keep the system functioning smoothly. Luxer One's native integrations keeps your resident list synced with your property management software automatically. Move-ins, move-outs, and any other resident updates are seamlessly kept updated in both your property and package management systems.

User experience

As for the package system's software itself, choose one with an intuitive, well-designed interface that makes using your system simple for both you and your residents. A user interface and experience that residents and carriers love to use is one that they will gladly come back to again and again.

How can I customize lockers to my brand?

Package lockers are an amenity that residents will associate with convenience and ease of living. Make the most out of that! Put your signature colors and branding on your locker system. To take it a step further, ask about integrating your branding into the actual user interface of the touchscreen to strengthen the connection your residents feel between the convenience of the locker system, and your community.

If you would like to learn more about Luxer One package lockers offered by Coinamatic Canada, please contact us today at 1-877-755-5302. We have a dedicated parcel delivery expert available to answer all your questions!

*This article written by: Susan Reynolds,
Director, Marketing Coinamatic Canada Inc.*

Hello Canada

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Why do property owners and managers prefer Luxer One

According to the 2018 Package Delivery Report by NMHC & Kingsley Research, Luxer One is the #1 package locker solution in multifamily. With over 15 years in multifamily lockers, we've perfected the delivery experience for residents, carriers, and property managers.



1-877-755-5302 | marketing@coinamatic.com

Landlord's Guide: How to Recognize Tenant Red Flags



Out of all the tools of the trade, one of the most important skills a landlord must have is recognizing tenant red flags. Think of these as warning signs that could lead to problems with a tenant.

Of course, that does not mean that a renter without red flags will always be the perfect tenant. Or that every renter with warning signals could be a problem tenant. In a recent Toronto ruling, for example, a tenant was convicted on three counts of fraud. He was notorious for showing up dressed well and with references, but when it came time to pay his rent he refused.

Eviction doesn't just affect tenants. Head over to our eviction calculator on our website to see how much it can cost you. This all goes to say that knowing the red flags can be invaluable. We'll discuss some of the most important ways to uncover tenant red flags below. Let's get going!

4 Ways to Discover Tenant Red Flags

1) Ask for Tenant Details (and Get Them on Record!)

Whenever you meet a prospective tenant, you should give them a rental application that covers the basics. This includes:

- Current Address
- Employer
- Monthly Income
- 3-5 Years of Residence History

It's a good idea to follow up with their current employer and landlord to double-check that the information is valid. If the information doesn't line up, that's a red flag. Consider an unstable work history, lack of steady income, or reports of property damage as huge red flags as well.

Also, if you learn that the tenant was troublesome and bothered other renters, that should set off your alarm bells. One unruly tenant can lead to fewer renters and less income.

2) Always Perform a Credit and Background Check

A credit check can reveal a tenant's bad financial habits — and a big risk on your end. A poor credit score suggests an inability to pay bills or living above their means.

But you don't have to spend the time and effort to vet tenants manually. With SingleKey's credit and background check, you can process tenant screening in minutes. The report also includes metrics that make it easier to understand the information Equifax reports on.

Our credit and background check reveals a wealth of information about tenants, such as:

- Records of rent payments
- Previous or ongoing collections
- Bankruptcies
- Past-due accounts

None of this information will give you a definitive answer about the tenant in question. But they will reveal some of the most important red flags you'll encounter.

3) Never Rush to Fill a Vacancy

When it comes to renting, taking one's time is a necessity for owners and tenants. When you rush to fill a vacancy, you can overlook the tenant evaluation. That's not a wise decision. Screening tenants is a crucial step in the renting process.

Generally, renters start to look for apartments six to eight weeks before their moving date. If a tenant wants to move in right away, that could be an indication of upheaval, confusion, and lack of thought and planning in their lifestyle. This behavior can be a red flag for landlords who want a dependable and reliable tenant — and one who gives proper notice.

Similarly, if tenants indicate that they move frequently, they could turn out not to be ideal as a long-term tenant. Of course, they could have legitimate — even urgent — reasons for relocation. A single red flag shouldn't be considered a black mark on their record. It does mean, however, that you should be on the lookout for other red flags, just in case.

4) Trust Your Gut

We've talked about how red flags can show up on paper through credit checks and employment history. But landlords can also make observations from interaction with the tenant — either in person, online, or during a phone conversation.

If they are late for a viewing or careless about answering texts or emails — you guessed it — red flag.

Our Tenant Red Flag Rundown

Okay, so we've gone through lots of potential red flags. Here are some questions to ask as you decide on a tenant.

Key Takeaways

- Does the applicant's basic information match your research?
- Do previous landlords or employers speak highly of them?
- Does the credit and background check seem healthy?
- Are they willing to move in at a reasonable time and date?
- Do I feel good about the applicant in general?

This article was provided by CRRRA member SingleKey.

You can contact them through their website:

<https://www.singlekey.com/>



CRRA
Calgary Residential Rental Association

28th ANNUAL GOLF EXTRAVAGANZA

The CRRA's 28th annual golf extravaganza tournament was held at the McKenzie Meadows Golf Club on Wednesday, September 8th. We had a great day for golf. The weather cooperated as it was warm but not too hot – just perfect.

This year we really spruced up the tournament by adding some great new fun events at almost every hole on the course. Some of the new fun events included: tee off wearing oven mitts; Bag Toss, Fun Photo booth, chipping challenge hole, hydration stations, tee off using the opposite club, guess the number of golf balls, snack holes and much more.

When golfers arrived and registered many went to the driving range to ensure they were ready for their tee off. Everyone took advantage of the delicious breakfast before they headed out onto the course.

We had an early start with golfers beginning to tee off at 9:30 a.m.

At the end of the day, the golfers were treated to a very delicious dinner.

This year there were five excellent raffle prize packages that were awarded during the dinner.

Many of the golfers told us that this was the best tournament ever. Everyone we spoke to told us that they had so much fun.

The CRRA Board of Directors is thankful for the generosity and support of all our sponsors. They brought a lot of value and enjoyment to our members and this really made this year's golf tournament the best ever.

We want to thank our crew of volunteers and staff who worked hard making sure the tournament ran smooth and that everyone had a good time.



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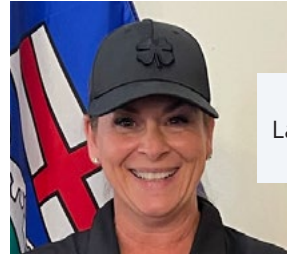
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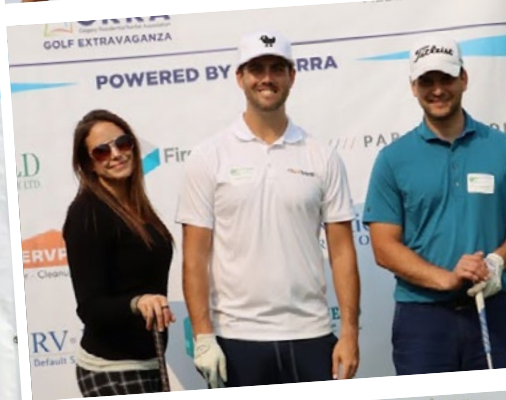
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The **CRRA** would like to thank our professional photographer, **Jodie May**, for donating her time at hole 6 where she took team pictures in front our Major Sponsor sign and then posted them on Instagram.

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TAlfonso Saenz of Modu-Loc Fence Rentals, Jody Peesker of Triumph Roofing & Sheet Metal, and Rob Palbom of Modu-Loc Fence Rentals. (Not pictured: Scott Freethy of Triumph Roofing & Sheet Metal)

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(Not pictured: Lara Wiebe of Blinds 2000 Manufacturing)

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OCTOBER 19

CRRA Trade Show at the Best Western Premier Hotel & Conference Centre

Breakfast

Topic: **Calgary's Rental Market: What you Need to Know for 2022 and Beyond**

Presenter: **Kendall Brown**, Market Analyst, Urban Analytics

Lunch

Topic: **Alberta's Economy 2022: What does a Post-Pandemic Province Look Like?**

Presenter: **Todd Hirsch**, Vice President and Chief Economist, ATB Financial

After Trade Show Seminar

Topic: **How to Increase Resident Satisfaction Through Proper Pest Control Maintenance**

Presenter: **Nicholas Holland**, Owner, Peregrine General Pest Control

NOVEMBER 4

CRRA Awards Gala
at the Carriage House Inn



NOVEMBER 18

Seminar & Luncheon at Hotel Blackfoot

Seminar Topic: **Technology is Changing: Is Your Business Ready?**

Presenter: **Kenneth Bond**, President, Fresh Focus Media

Luncheon Topic: **Building a Bullet-Proof Business**

Presenter: **Sandra Crozier-McKee**, Sandler Training



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Mould ...continued from page 5

- The water leak, broken tiles, and mould affected the amenity of the house and contributed to the loss of the benefit of the tenancy agreement. Rent abatement (reduction) was appropriate.

Considering the landlord's breaches and the tenant's losses, the judge assessed the tenant's damages and rent abatement at \$1,000. The judge dismissed the claim for general damages for anything other than the breaches of the agreement and the rent abatement. The judge ordered the landlord to pay the tenant \$2,495 for the return of the security deposit and for damages.

What can a landlord or tenant do if there's mould in the property?

If the RTA and caselaw have taught us anything, it's that tenants should tell their landlord about issues on the property right away, including mould. Doing so allows the landlord to repair and fix the issue. As best practice, landlords and tenants should document and put in writing any remediation arrangements. For example, this may include:

- whether a tenant will be moving out during repairs
- how much the landlord pays for repairs
- whether the landlord offers any rent abatement (reduction)
- whether the tenant must take remedial steps or pay to fix the problem themselves

As mentioned in CPLEA's Minimum Housing and Health Standards publication, a tenant can take additional steps if a landlord is not fixing problems on the property. One option is contacting a local Environmental Public Health Office.

As for any circumstances that may make a mould situation contentious- well that involves findings of fact for the RTDRS or courts to decide.

For more on residential tenancies law in Alberta and CPLEA's Residential Tenancies Legal Information Program, go to: www.landlordandtenant.org.

Funding for this project is made possible through a grant from the Alberta Real Estate Foundation. Learn more at www.aref.ab.ca.



Judy Feng is a Staff Lawyer at the Centre for Public Legal Education Alberta (CPLEA). This article is for general information purposes only and is not meant as legal advice. If you require legal advice, please consult a lawyer.

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